



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 29, 1993

Honorable George Allen  
Chairman  
McLennan County Bail Bond Board  
54th District Court  
McLennan County Courthouse  
Waco, Texas 76701

OR93-032

Dear Judge Allen:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act (the "act"), article 6252-17a, V.T.C.S. Your request was assigned ID# 17892.

You have received a request for a copy of a review report (the "report") of security files of the McLennan County Bail Bond Board (the "board") prepared by the board's counsel, a law firm in Waco, Texas. You have submitted the report to us for review and claim that it is excepted from required public disclosure by the attorney-client privilege as incorporated into the act by sections 3(a)(1) and 3(a)(7).<sup>1</sup>

Section 3(a)(7) excepts from required public disclosure:

matters in which the duty of the Attorney General of Texas or an attorney of a political subdivision, to his client, pursuant to the Rules and Canons of Ethics of the State Bar of Texas are prohibited from disclosure, or which by order of a court are prohibited from disclosure. [Footnote omitted.]

V.T.C.S. art. 6252-17a, § 3(a)(7). In Open Records Decision No. 574 (1990), this office held that section 3(a)(7) protects information that reveals client confidences to an attorney or that reveals the attorney's legal advice. However, severable information that does not contain legal advice or opinion or reveal client confidences is not protected by section 3(a)(7). *Id.*

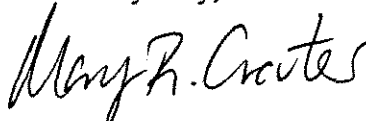
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<sup>1</sup>You have also submitted to us for review copies of attorney general opinions and statutes relevant to the legal issues discussed in the requested report. However, because only the report itself falls within the scope of the request for information, we need not address this additional information.

The report submitted to us for review was prepared by an attorney at the behest of the McLennan County Treasurer on behalf of the board. Generally, the report serves two functions: (1) it provides an analysis of existing board procedures governing bail bond security files; and (2) it provides recommendations and guidance for assuring compliance with applicable law. Although the report contains some factual information, this information is inextricably intertwined with the legal advice and opinion which constitutes the bulk of the report. We conclude, therefore, that the report in its entirety may be excepted from required public disclosure under section 3(a)(7) of the act.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR93-032.

Yours very truly,



Mary R. Crouter  
Assistant Attorney General  
Opinion Committee

MRC/GCK/lmm

Ref.: ID# 17892

Enclosures: Submitted documents

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